

## REMARKS

Claims 1-22 are currently pending in this application. Claims 14-16, 19 and 20 are allowed, claims 1, 2, 7, 10, 17, and 20 are currently rejected under 35 U.S.C. 102( b) and claims 3-6, 8, 9, 11-13, 18 and 22 are currently objected to. Applicant respectfully requests reconsideration of this application in light of the foregoing amendments and following arguments. No new matter has been added.

### *Claim Rejections – 35 USC §102*

Claims 1, 2, 7, 10, 17, and 21 are currently rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,572,751 to Brandt. Applicant traverses these rejections.

The Examiner points to Brandt as describing the invention of claim 1. It is respectfully submitted that the invention of claim 1 is not anticipated by Brandt at least because Brandt does not describe a bed end that is affixed to a bed rail and has rail connectors for receiving a rail of another bed. Brandt describes utilizing hook member 74 and end caps 60, 62 to connect headboard extender 52 to rail 16, but does not disclose rail connectors on the headboard extender 52 *for receiving a rail of another bed*. Claim 1 has been amended to clarify that the rail connectors are for receiving a rail of another bed. Such a connection is distinct from the connection of the bed end of the assembly to the bed rail of the assembly. Claim 1 has been further amended to recite that the rail of another bed is received at substantially the same elevation as the bed rail of the assembly. Brandt clearly does not describe receiving a rail of another bed at the same elevation as rail 16, and such a construction is not taught or suggested by Brandt or the prior art as a whole. Accordingly, Applicant is of the opinion that claim 1 is now in condition for immediate allowance, and such action is kindly requested. Applicant respectfully submits that claim 2 is also now in condition for immediate allowance at least for the reasons stated with respect to claim 1.

It is further respectfully submitted that Brandt also does not anticipate the invention of claim 7. Brandt does not describe the method of assembling a bed rail and bed end assembly that affixes the bed end of the assembly to the bed rail of the assembly such that rail connectors of the bed end face away from the bed rail of the assembly *to receive a rail of another bed*. Brandt

merely describes affixing the posts of headboard extender 52 to bed rail 16 with hook member 74 and end caps 60, 62 and does not describe affixing headboard extender 52 to bed rail 16 such that hook member 74 and end caps 60, 62 face away from rail 16 to receive a rail of another bed. Further, claim 7 has been amended to recite that the rail of another bed is received at an elevation substantially the same as the bed rail of the assembly. Brandt clearly does not describe affixing headboard extender 52 to rail 16 such that headboard extender 52 has rail connectors for receiving a rail of another bed at the same elevation as rail 16, and such a construction is not taught or suggested by Brandt or the prior art as a whole. Accordingly, Applicant respectfully submits claim 7 is now in condition for immediate allowance, and such action is kindly requested.

Applicant further respectfully submits that Brandt does not anticipate the invention of claims 10, 17, and 21. Brandt discloses connecting bed 12 to bed 14 where bed 12 is elevated above bed 14 and does not describe connecting the rails of beds 12 and 14 at substantially the same elevation. Claims 10, 17, and 21 have been amended to clarify that the rails of the second bed are connected to the rails of the first bed at an elevation substantially the same as the first. Connecting the rails of the beds at the same elevation is not taught or suggested by Brandt or the prior art as a whole. Accordingly, Applicant respectfully submits claims 10, 17, and 21 are now in condition for immediate allowance, and such action is kindly requested.

### ***Allowable Subject Matter***

Claims 3 and 11 have been rewritten in independent form including all of the limitations of the base claim and any intervening claims in accordance with the Allowable Subject Matter section of the Office Action dated April 13, 2005. Accordingly, Applicant is of the opinion claims 3-6 and 11-13 are now in condition for immediate allowance and such action is kindly requested.

***Conclusion***

For the reasons stated, Applicant respectfully requests withdrawal of the objections and rejections. It is believed that this application is now in condition for immediate allowance, and such action is kindly requested. If, after a review of this Amendment, issues remain which may be resolved by a telephone interview, the Examiner is cordially invited to call the Applicant's undersigned attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "William F. Bahret", is written over a horizontal line.

William F. Bahret, Reg. No. 31,087  
Bahret & Associates  
320 N. Meridian St., Suite 510  
Indianapolis, Indiana 46204  
(317) 423-2300